



7-11-1952

An Act Making Appropriations for Civil Functions Administered by the Department of the Army for the Fiscal year Ending June 30, 1953, and for Other Purposes

United States Congress

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Recommended Citation

United States Congress, . "An Act Making Appropriations for Civil Functions Administered by the Department of the Army for the Fiscal year Ending June 30, 1953, and for Other Purposes." , : Government Printing Office, 1952. -. <https://commons.und.edu/indigenous-gov-docs/64>.

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US Laws, Statutes, etc.
" UNITED STATES
STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE SECOND SESSION OF THE
EIGHTY-SECOND CONGRESS
OF THE UNITED STATES OF AMERICA

1952

AND

REORGANIZATION PLANS AND PROCLAMATIONS

VOLUME 66

IN ONE PART



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1953

Public Law 504

CHAPTER 669

AN ACT

Making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes.

July 11, 1952
[H. R. 7268]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1953, for civil functions administered by the Department of the Army and for other purposes, namely:

Civil Functions
Appropriations
Act, 1953.

CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY

CEMETERIAL EXPENSES

Cemeterial expenses: For necessary expenses of maintaining and improving national cemeteries, including fuel for superintendents; purchase of land, as authorized by law; purchase of one passenger motor vehicle for replacement only; maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and the burial site of Pushmataha, a Choctaw Indian chief; repair to roadways but not to more than a single approach road to any national cemetery; for headstones or markers for unmarked graves under the Act of July 1, 1948 (24 U. S. C. 279a, b); for maintenance of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island; and for maintenance of graves used by the Army for burials in commercial cemeteries; \$4,160,000: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village: *Provided further*, That this appropriation shall not be obligated for construction of a superintendent's lodge or family quarters at a cost per unit in excess of \$14,000, but such limitation may be increased by such additional amounts as may be required to provide office space, public comfort rooms, or space for the storage of Government property within the same structure.

Headstones.

62 Stat. 1215.
24 USC 279a-279c.

Confederate cemeteries.

Commercial cemeteries.

Encroachment by railroad.

Roadway repairs.

Family quarters, office space, etc.

CORPS OF ENGINEERS

RIVERS AND HARBORS AND FLOOD CONTROL

The following appropriations for rivers and harbors and flood control shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers, and shall remain available until expended: *Provided*, That the various appropriations for rivers and harbors and flood control may be used for examina-

Lake Ouachita,
Ark.
Lake Greeson,
Ark.
Tom Jenkins
Dam, Ohio.

Access roads.

Garrison Dam and
Reservoir.
Payments.

tion of estimates of appropriations in the field; purchase not to exceed two hundred passenger motor vehicles for replacement only in the current fiscal year and hire of passenger motor vehicles and purchase of one motorboat (to be acquired from surplus stock where practicable) and the maintenance, repair, and operation of aircraft: *Provided further*, That the reservoir formed by the Blakely Mountain Dam, Arkansas, shall hereafter be designated as "Lake Ouachita", and the reservoir formed by the Narrows Dam, Arkansas, shall hereafter be designated as "Lake Greeson": *Provided further*, That the project known as "Burr Oak Dam, Ohio", shall hereafter be designated as the "Tom Jenkins Dam, Ohio": *Provided further*, That \$125,000 of the funds appropriated herein may be used for providing a suitable access road and bridge from the town of Blum, Texas, to the Gulf, Colorado and Santa Fe Railroad station, relocated in connection with the construction of the Whitney Dam and Reservoir project: *Provided further*, That not to exceed \$250,000 of the funds appropriated herein may be expended for providing a suitable access road from United States Highway 70 north to the bridge built upon and across the Center Hill Dam in DaKalb County, Tennessee: *Provided further*, That not more than \$40,000 of the amount herein appropriated shall be available for expenditure, in addition to funds heretofore made available for the Garrison Dam and Reservoir project on the Missouri River, to pay to lawful occupants of properties within the towns of Elbowoods, Sanish and Van Hook, North Dakota, for their improvements which will be rendered useless by the construction of the project, but for which compensation may not be made under existing law because of the occupants' limited right of occupancy: *Provided further*, That payment in each case shall be limited to the fair value of the improvements, or the cost of moving such improvements to the site of the new combined town, whichever is less, as determined by the Secretary of the Army: *Provided further*, That funds appropriated shall not be expended for the payment of business losses or other losses incident to the acquisition of lands for this project.

RIVERS AND HARBORS

California De-
bris Commission.

27 Stat. 507.

Printing of sur-
veys.

Maintenance and improvement of existing river and harbor works: For expenses necessary for the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interest of commerce and navigation; for surveys of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins, and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Debris Commission in carrying on the work authorized by the Act approved March 1, 1893, as amended (33 U. S. C. 661, 678, and 683); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States; for examinations, surveys, and contingencies of rivers and harbors; for the execution of detailed investigations and the preparation of plans and specifications for projects heretofore authorized; for printing, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeed-

ing session of Congress; \$236,788,800, of which amount \$75,000 shall be available only for cooperative beach erosion studies as authorized in Public Law Numbered 520, Seventy-first Congress, approved July 3, 1930, as amended and supplemented: *Provided*, That no part of this appropriation shall be expended for any preliminary examination, survey, project, or estimate not authorized by law: *Provided further*, That not to exceed \$5,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the expenses of the properly accredited delegates of the United States to the meeting of the Congresses and of the Commission: *Provided further*, That from this appropriation not to exceed \$3,584,100 shall be available for transfer to the Secretary of the Interior for expenditure for the purposes of and in accordance with the provisions of the Act of August 8, 1946 (16 U. S. C. 756), and the Act of August 14, 1946 (16 U. S. C. 661-666; 33 U. S. C. 1, 5, 414-415, 441, 451, 540, 541; Civil Functions Appropriation Act, 1952).

46 Stat. 918.
33 USC 426.

Permanent International Commission of the Congresses of Navigation.

Transfer of funds.

60 Stat. 932,
1080.

65 Stat. 616.

FLOOD CONTROL

Flood control, general: For expenses necessary for the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936, as amended and supplemented, including preliminary examinations, surveys, and contingencies in connection with flood control, \$255,742,800: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law: *Provided further*, That funds appropriated herein may be used to execute detailed surveys and prepare plans and specifications, necessary for the construction of flood-control projects heretofore or hereafter authorized or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938, and section 3 of the Flood Control Act approved August 18, 1941 (55 Stat. 638): *Provided further*, That the expenditure of funds for completing the necessary surveys shall not be construed as a commitment of the Government to the construction of any project.

49 Stat. 1570.
33 USC 701a-701f, 701h.

Salmon River, Alaska.

52 Stat. 1216.
33 USC 701j, 702a-1-3/4, 702a-12.

Flood control, general, emergencies: For rescue work and for repair, restoration, or maintenance of any flood-control work threatened or destroyed by flood in accordance with section 210 of the Flood Control Act of 1950 (Public Law 516, approved May 17, 1950, 33 U. S. C. 701n), \$8,000,000, to remain available until expended.

64 Stat. 183.

Flood control, Mississippi River and tributaries: For expenses necessary for prosecuting work of flood control in accordance with the provisions of the Flood Control Act, approved May 15, 1928, as amended (33 U. S. C. 702a), \$60,020,000.

45 Stat. 534.

Flood control on tributaries of Mississippi River, emergencies: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (33 U. S. C. 702g-i), \$250,000.

49 Stat. 1511.
33 USC 702g-1.

Flood control, Sacramento River, California: For prosecuting work of flood control, Sacramento River, California, in accordance with the provisions of the Act approved March 1, 1917, as amended (33 U. S. C. 703, 704; 50 Stat. 849; 55 Stat. 638-651), \$1,000,000.

39 Stat. 949.

NIAGARA REDEVELOPMENT REMEDIAL WORKS INVESTIGATION

For engineering and economic investigations and surveys, pending authorization for construction, of projects for development and utilization of the waters of the Niagara River, \$100,000.

UNITED STATES SOLDIERS' HOME

For maintenance and operation of the United States Soldiers' Home, including construction of quarters, \$3,452,000, to be paid from the Soldiers' Home permanent fund: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army, upon the recommendation of the Board of Commissioners of the Home and the Surgeon General of the Army.

CANAL ZONE GOVERNMENT

37 Stat. 560.
48 USC 1301.

Travel expenses.

65 Stat. 620.

For expenses necessary for the Canal Zone Government, including net losses from operation of the Postal Service of the Canal Zone; construction of additional facilities; purchase (not to exceed four in the current fiscal year, for replacement only) and hire of passenger motor vehicles; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; not to exceed \$10,000 for expenses of attendance at meetings, when authorized by the Governor, of organizations concerned with activities pertaining to the Canal Zone Government; not to exceed \$2,000 for travel and subsistence expenses of employees of the Canal Zone Government incident to their special training as authorized by law (63 Stat. 600); contingencies of the Governor, including not to exceed \$3,000 for entertainment, to be expended in his discretion; medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable; and payments of not to exceed \$50 in any one case to persons within the Government service who shall furnish blood for transfusions; \$18,000,000, of which \$4,900,000 for construction and major equipment shall remain available until expended: *Provided*, That all expenses of the Canal Zone Government shall be reimbursable to the United States Treasury, pursuant to law (48 U. S. C. 1361 b (e)): *Provided further*, That the appropriation made available under this head in the Civil Functions Appropriation Act, 1952, shall not be available for obligation after June 30, 1952, except as specified thereunder with respect to (a) the amount provided for construction, and (b) any remaining balances of amounts transferred thereto from appropriations for "Maintenance and operation of the Panama Canal", "Sanitation", and "Civil government".

PANAMA CANAL COMPANY

59 Stat. 598.
31 USC 849.

The following corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to it and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the programs set forth in the Budget for the fiscal year 1953 for such corporation, except as hereinafter provided:

Not to exceed \$3,301,800 of the funds available to the Panama Canal Company shall be available during the current fiscal year for general and administrative expenses of the Company, which shall be computed on an accrual basis: *Provided*, That as used herein, the term "general and administrative expenses" shall not be construed to include expenses otherwise classified in the preceding fiscal year.

Administrative expenses.

GENERAL PROVISIONS

SEC. 102. No part of any appropriation contained in this Act, or of the funds made available for expenditure by any corporation included in this Act, shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation or fund contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Strikes or overthrow of Government.

Affidavit.

Penalty.

SEC. 103. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409) limiting employment in the above-mentioned positions to citizens of the United States from and after the date of approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the

Canal Zone. Citizenship requirements.

Panamanian citizens.
48 USC 1307 note.

Employees with 15 years service.

Hours of employment.
Pay rates.

Applicability.

Suspension of compliance.

United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend from time to time in whole or in part compliance with this section if he should deem such course to be in the public interest.

60 Stat. 810.

Short title.

SEC. 104. The Governor of the Canal Zone is authorized to employ services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), in an amount not exceeding \$15,000: *Provided*, That the rates for individuals shall not exceed \$100 per diem.

SEC. 105. This Act may be cited as the "Civil Functions Appropriations Act, 1953".

Approved July 11, 1952.

Public Law 505

CHAPTER 670

AN ACT

July 11, 1952
[S. 2043]

To authorize the transfer of certain property by the Administrator of the General Services Administration to the Secretary of the Interior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of the General Services Administration is hereby authorized and directed to transfer to the Secretary of the Interior, without reimbursement, a wood-frame building located in the city of Everett, Washington, on land leased from the city of Everett, formerly occupied by the Civil Aeronautics Administration, Department of Commerce, and now excess to the requirements of the Department of Commerce.

Approved July 11, 1952.

Public Law 506

CHAPTER 671

AN ACT

July 11, 1952
[H. R. 8272]

To provide for the conveyance by the United States to Fulton County, a political subdivision of Georgia, of certain land in said county.

Fulton County,
Ga.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized and directed to convey to Fulton County, a political subdivision of the State of Georgia, upon such terms and conditions with respect to relocation or reconstruction of existing buildings and facilities on and near the premises and with respect to such other matters as he may deem desirable, all the right, title, and interest of the United States in and to a parcel of land bounded and described as follows:

All that tract or parcel of land lying and being in the city of Atlanta in land lots 85 and 108 of the fourteenth district of originally Henry, now Fulton County, Georgia, and more particularly described as follows: